

University of Cincinnati



Office of the Vice President
for Student Affairs and Human Resources
University of Cincinnati
PO Box 210638
Cincinnati OH 45221-0638
Phone (513) 556-4119
Fax (513) 556-6027

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ADMINISTRATIVE MEMORANDUM #121

TO: All Administrative Unit Heads
FROM: Mitchel D. Livingston ^{MDL}
RE: Policy Statement on Sex Offenses

The University of Cincinnati seeks to provide an educational and work environment in which all students and employees can maximize the achievement of their personal goals. Sex offenses interfere with the University's function as an educational institution and will not be tolerated.

Students charged with sex offenses that occur on campus will be subject to discipline under the University of Cincinnati Student Code of Conduct. Employees will be subject to discipline under the applicable University Rule or union contract. Possible sanctions include probation, suspension, or dismissal/termination from the University. Anyone committing a sex offense may also be subject to criminal prosecution and to the penalties provided by law in case of conviction of a crime.

This policy statement describes the educational programs at the University which are designed to help prevent sex offenses and the procedures to be followed, as well as sources of assistance, if a sex offense has occurred.

Definition

Sex offenses are defined in the Ohio Revised Code to include sexual conduct or contact, forcible or not, as well as other activity of a sexual nature, without the consent of the other person or when knowing the other person is unable to consent because of age or impaired mental or physical condition (for example, impairment due to drugs or alcohol). Sexual conduct and contact include all forms of intercourse or oral sex as well as touching or forcing one to touch another person's erogenous zones. Sex

offenses include rape, acquaintance rape, sexual battery, sexual imposition and voyeurism. Voyeurism includes surreptitious viewing, videotaping, audiotaping or photographing another without his/her consent in any way that invades the other's privacy for the sexual gratification of the offender. See Ohio Revised Code Chapter 2907 for complete definitions of the above and other sex offenses included in this policy.

Sexual misconduct which is not a sex offense may constitute sexual harassment (see Administrative Memorandum #60 in the Employee Policies and Procedures Manual and pg. 43 of the Student Handbook) or may otherwise violate the University of Cincinnati Student Code of Conduct (see pg. 48 of the Student Handbook).

Procedures

The University provides a wide range of support and assistance for survivors of sex offenses. Survivors are urged to take the following actions.

1. **SEEK MEDICAL ATTENTION.** Survivors of sex offenses which involve any physical contact should seek medical attention immediately, whether or not they wish to file a complaint. University Hospital Rape Trauma Center (558-4201, 234 Goodman Street) gives free and confidential physical examinations. The 72 hours following such an offense are critical. Place any clothing or items involved in the offense in a clean paper bag (plastic destroys evidence). Upon arrival at the emergency room, identify yourself as a survivor of a sex offense. You will receive first aid, a medical exam and will also be tested/treated for sexually transmitted diseases (including AIDS) and pregnancy.
2. **CALL THE POLICE.** Survivors of sex offenses that occur on the University of Cincinnati campus are encouraged to report them as soon as possible to the University Police by calling 911 or 556-1111. Survivors of sex offenses which occur elsewhere are encouraged to report them as soon as possible to the police by calling 911. Survivors may request the assistance of University employees in reporting sex offenses to law enforcement officials.
3. **SEEK ASSISTANCE.**

COUNSELING/SUPPORT SERVICES for students and employees - The following sources of help for survivors of sex offenses are available and survivors are urged to obtain support from one or more of them.

- Police, 911 (24 hours) (UC employees and students)
- University Hospital, 558-4201 (24 hours), 234 Goodman Street, Cincinnati (UC employees and students)

- Women Helping Women, Inc., 381-5610 (24 hours), 216 E. 9th Street, Cincinnati (UC employees and students)
- Northern Kentucky Women's Crisis Center, 491-3335 (24 hours), 835 Madison Avenue, Covington (UC employees and students)
- Women's Programs and Services, 556-4401 (business hours), 320 Tangeman University Center, University of Cincinnati (UC students)
- Psychological Services Center, 556-0648 (business hours), 316 Dyer Hall, University of Cincinnati (UC students)
- University Health Services, 556-2564 (business hours), 2nd Floor, Scioto Hall, University of Cincinnati; 558-4457, 1st Floor, Holmes (business hours) (UC students)
- REACH, 556-2506 (business hours), 3333 Vine Street, University of Cincinnati (UC employees)
- Ombuds Office, 556-5956 (business hours), 335 Tangeman University Center, University of Cincinnati (UC employees and students)

University Discipline

Allegations of sex offenses will be processed according to the disciplinary procedures described in the Student Code of Conduct if the accused is a student, or under the applicable University Rule or union contract if the accused is an employee. Allegations against a student should be reported to the University Police (911), University Student Conduct Officer (556-6812), the appropriate College Dean, or the Ombuds (556-5956). Allegations against an employee should be reported to the University Police (911), the Office of Affirmative Action (556-5503), the Office of Human Resources (556-6925), or the Ombuds Office (556-5956).

Both the accused and accuser are entitled to the same opportunity to have others present during a University disciplinary proceeding. Both the accused and accuser will be informed of the outcome of any campus disciplinary hearing. University disciplinary proceedings may occur independently of any criminal proceedings and are subject to a different burden of proof. University sanctions for students and employees found responsible for sex offenses range from a written reprimand through dismissal/termination, depending upon the severity of the offense.

STUDENT RELATED CONCERNS AND EDUCATIONAL RESOURCES

1. Classroom and Housing Issues

A student survivor of a sex offense may be able to change class assignments or campus housing assignments if he/she chooses to do so and such remedy is reasonably available. Survivors should contact the University Ombuds Office (556-5956) for assistance.

2. Educational Related Programs for Students

Educational programs designed for students to prevent sex offenses and promote an awareness of rape, acquaintance rape, and other sex offenses are provided by the following offices on campus.

- Women's Programs and Services provides a resource library, informational brochures, a course, and presentations by Students Organize Against Rape (SOAR). SOAR programs are presented at high schools, University orientation, sororities/fraternities, athletic meetings, and during Rape Awareness Day.
- The University Police Crime Prevention Section offers programs about sex offenses and self defense to provide insight and education about appropriate measures to limit the possibility of an offense. Programs are given upon request to student and community groups.
- University Psychological Services staff provide workshops and educational programs upon request on topics related to protection against and survival of sex offenses.

EMPLOYEE RELATED EDUCATIONAL RESOURCES

Educational programs designed for employees are provided by the following offices.

- The Office of Affirmative Action conducts workshops on awareness of sexual harassment. The program defines sexual harassment, profiles a typical victim and harasser, outlines steps if one experiences harassment and increases awareness which may reduce harassing behavior in the workplace.
- REACH offers workshops and educational programs upon request on various topics related to crisis intervention and prevention in the workplace. Topics include instituting the Drug Free Workplace and identifying and managing difficult employees.